



Jack Thorp
District Attorney, District 27

January 28, 2019

Mr. Mike Spies
c/o MuckRock News
DEPT MR 36632
411A Highland Ave.
Somerville, MA 02144-2516
36646-06630788@requests.muckrock.com

Via email

Re: Oklahoma Open Records Act request

Dear Mr. Spies,

I am in receipt of your January 25, 2019 faxed letter wherein you request "[a]ll Stand Your Ground motions that have been filed by defendants in judicial district 27 since January 1, 2006." Your request references 'judicial' district 27, but I am responding under the assumption that you are referring to prosecutorial district 27, which includes Adair, Cherokee, Sequoyah and Wagoner counties. If this is incorrect, please let me know.

The Oklahoma Open Records Act found at 51 O.S. § 24A.1 *et seq.* applies to public agencies in Oklahoma such as the District Attorney's Office and the Court Clerk's Office. While the Oklahoma Open Records Act requires a public body to provide a record if it exists, it does not require a public body to create a new record for the purpose of complying with a request. 51 O.S. § 24A.18. Neither our office nor the Court Clerk's offices for Adair, Cherokee, Sequoyah or Wagoner counties maintains a record of all "Stand Your Ground" motions filed, and therefore does not have any records responsive to your request.

If you have any questions regarding this matter please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Kim Hall".

Kim Hall
First Assistant District Attorney
Wagoner County District Attorney's Office
307 E. Cherokee
Wagoner, OK 74467
kim.hall@dac.state.ok.us